

**IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

IN RE:

WESTMOUNT GROUP, INC.,

Debtor.

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§
§
§

Case No. 21-30633-HCM-7

Chapter 7

CHAPTER 7 TRUSTEE’S MOTION TO FIX PROOF OF CLAIM BAR DATE

THIS PLEADING REQUESTS RELIEF THAT MAY BE ADVERSE TO YOUR INTERESTS.

IF NO TIMELY RESPONSE IS FILED WITHIN TWENTY-ONE (21) DAYS FROM THE DATE OF SERVICE, THE RELIEF REQUESTED HEREIN MAY BE GRANTED WITHOUT A HEARING BEING HELD.

A TIMELY FILED RESPONSE IS NECESSARY FOR A HEARING TO BE HELD.

TO THE HONORABLE H. CHRISTOPHER MOTT, U.S. Bankruptcy Judge:

NOW COMES, BRAD W. ODELL, the duly appointed Chapter 7 Trustee (the “Trustee”), in the above-referenced bankruptcy proceeding, and files his Motion to Fix Proof of Claim Bar Date (“Motion”), and would respectfully show the Court as follows:

1. On August 23, 2021 (the “Petition Date”), Westmount Group, Inc. (the “Debtor”) filed a voluntary petition under chapter 11 of the Bankruptcy Code. The Debtor elected to proceed under Subchapter V of chapter 11. [Dkt. No. 1].

2. On August 28, 2021, the Office of the United States Trustee for Region 7 appointed Brad W. Odell as the Subchapter V Trustee. [Dkt. No. 5].

3. On October 26, 2021, the Court conducted a hearing on the First Amended Motion to Dismiss Case filed by Albert Flores. After considering the evidence and argument presented at the hearing, the Court granted the First Amended Motion to Dismiss Case and ordered that the Debtor’s

bankruptcy case be converted from Chapter 11, Subchapter V to Chapter 7. The Court entered its Order Converting Case to Chapter 7 on October 27, 2021. [Dkt. No. 52].

4. On October 29, 2021, the Office of the United States Trustee for Region 7 appointed Brad W. Odell as the interim chapter 7 trustee in the Debtor's converted Chapter 7 bankruptcy case. [Dkt. No. 57].

5. On November 30, 2021, the Trustee commenced the meeting of creditors as required pursuant to 11 U.S.C. § 341 of the Bankruptcy Code. The Trustee has determined there are assets to administer in this case.

6. The Trustee proposes to set February 24, 2022, which is 120 days from the date of conversion, as the last day for filing proofs of claim by any creditor of the above referenced debtor, save and except for claims of governmental units. The Trustee proposes to set April 25, 2022, which is 180 days from the date of conversion, as the last day for any governmental unit that holds a claim against the above reference debtor as the last day for filing proofs of claim.

Respectfully Submitted,

By: /s/Brad W. Odell
Brad W. Odell

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Chapter 7 Trustee

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Motion was served on the following parties in interest via ECF and/or regular U.S. Mail on this 1st day of December, 2021:

1. Westmount Group, Inc.
810 N. Kansas Street
El Paso, TX 79902-5207
Debtor

2. Stephen W. Sather
Barron & Newburger, PC
7320 N. MoPac Expy, Suite 400
Austin, TX 78731-2347
Attorneys for Debtor

3. James Rose, Jr.
Office of the U.S. Trustee
615 E. Houston St., Ste. 533
San Antonio, Texas 78205

4. All parties receiving ECF Notice in this case as follows:

James W. Brewer on behalf of Creditor WestStar Title, LLC
jbrewer@kempsmith.com, tschoemer@kempsmith.com

E. P. Bud Kirk on behalf of Creditor Albert Flores
budkirk@aol.com

Stephen W. Sather on behalf of Debtor Westmount Group, Inc.
ssather@bn-lawyers.com, lbagley@bn-lawyers.com; gfriedman@bn-lawyers.com; ejimenez@bn-lawyers.com; phammer@bn-lawyers.com

Donald P. Stecker on behalf of Creditor City Of El Paso
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Shane P. Tobin on behalf of U.S. Trustee United States Trustee - EP12
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5. All parties listed on the attached mailing matrix.

/s/ Brad W. Odell
Brad W. Odell

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